



Sept 30, 2015

Vol. 20.09

104 E 2nd St, PO Box 215

765.583.4944

[www.otterbein.in.gov](http://www.otterbein.in.gov)

#### Important Phone Numbers

Police	911 or 884-0080
Billing Questions	583-4944
Clerk's Office	583-0089
Republic/Allied Waste	477-9138
Streets and Water	583-3430

#### Councilmen

Kevin Burk	404-1481
Ron Shoup	337-5876
Dirk Studebaker	574-551-2903
Doyle Allison	583-9481
Mac McKinney	583-2821

## Calendar October 2015

6th	Town Council Meeting 6:00 PM
7th	Limb Pickup Begins
12th	<b>Columbus Day - Town Hall Closed</b>
14th	Trash & Recycle
20th	Town Council Meeting 6:00 PM
28th	Trash & Recycle
31st	Halloween <i>Trick-Or-Treat</i>

## Otterbein Prairie Community Center

Activities at the Community Center have been suspended until further notice

Have a Safe and Happy  
Halloween



## Halloween

Trick or Treat Will be  
Saturday, October 31, 2015  
6:00-8:00 PM

If your house is participating please put on your porch light.  
Be respectful, If the porch light is not on, please pass by the house



### Yard of the Month!!

Presented by the Otterbein Rotary Club  
September recipient  
Aaron and Erica Holder

#### TOWN COUNCIL MEETING

TUESDAY, SEPTEMBER 1, 2015 6:00 PM

Council President Kevin Burk called the meeting to order at 6:01 PM with all members present.

The Council held the hearing on Disconnection of water service due to non-payment. No one was present to discuss. Ron Shoup made the motion to approve those on the list presented for disconnection. Leon McKinney seconded the motion and all were in favor.

Ron Shoup made the motion to approve the August 2015 Minutes as written. Leon McKinney seconded the motion and all were in favor.

President Burk read the summary of claims presented for a total of \$71,539.78. Dirk Studebaker made the motion to approve the claims as presented. Doyle Allison seconded the motion and all were in favor.

Jim Schoen with Hoosier Associates reviewed the Town's liability insurance with the Town Council. The Council thanked him for attending.

Mike Turchi with BF&S presented the Construction Contract between the Town of Otterbein and Graves Plumbing Company Inc.; for the Wastewater Treatment Plant; Headwork Structure Modifications for \$113,130. Ron Shoup made the motion to enter into contract with Graves Plumbing Inc. Dirk Studebaker seconded the motion and all were in favor. Mike presented a Notice to Proceed allowing Graves Plumbing

to begin the Headwork Structure Modifications effective September 8, 2015. Ron Shoup made the motion to issue the Notice to Proceed. Leon McKinney seconded the motion and all were in favor. Mike announced that the WWT Plan Public Hearing will be September 8, 2015 and that the SRTS Public Presentation will be October 6, 2015. Mike brought the speed study information that was presented previously. After discussion with the Council a few more areas need to be added. Also, there is a need to coordinate with the County for a reduce speed ahead sign coming into town from the south end of town heading north on Main Street.

Town Marshal George Frantz reported to the Council that the property on West Oxford Street previously discussed has made some progress in cleaning up the property, however it is not done. The Council agreed to go after the meeting and take a look at the property and advise George on how to proceed. Regarding the property on E Oxford he had issued a notice for mowing. They were unable to mow inside the fenced area because there is not a gate to enter. It also has junk lying around and stagnant water in a pool. Council advised him to issue a notice to abate junk and stagnant water and allow 10-15 days to comply. Regarding the mowing issue, need to contact Jud for liability concerns. George explained to the Council that the street sign at Sunset and Pine was damaged. He asked if they wanted to seek restitution for Post, Hardware and Labor, \$120. Ron Shoup made the motion to seek restitution. Leon McKinney seconded the motion and all were in favor. George spoke with Council about an issue with 2 mowing notices on Gregory Lane. The notices did not arrive to the correct address of the homeowner. Therefore, he is requesting the Council waive the moving fees. Ron Shoup made the motion to forgive the fees. Leon McKinney seconded the motion and all were in favor. Lastly, George brought up that he has issued a lot of Vehicle Nuisance letters. They will be coming up for discussion if not taken care of at the next meeting. He also informed them in regards to the Restoration Permit section, there seems to be some confusion and it needs to be re-evaluated. They asked that he gets with Jud regarding the issue so that it can be taken care of. Council asked that it be placed under old Business in the next meeting.

Town Superintendent Seth Humphreys presented a report of what has been accomplished in the last two weeks and what is expected to get done in the next two weeks. He mentioned he was researching some training opportunities for the employees. He wanted to make sure the Council was ok with them attending training. The Council said yes as long as they are not all gone at the same time. He also stated he would like to be able to go down into some Stormwater structures to see the condition of the drains; however he would need an oxygen monitor. The Council asked him to get quotes on a monitor.

Clerk-Treasurer Treeva Sarles presented Ordinance 2015-0901A An Ordinance Declaring Surplus Property. This declared the old street signs, posts, fence, basketball goals and fire hydrants surplus so that they can be disposed of. Ron Shoup made the motion to adopt Ordinance 2015-0901A. Leon McKinney seconded the motion and all were in favor. Treeva presented Resolution 2015-0901A A Resolution to Appropriate Grant Fund Reimbursement. This Resolution moves the INDOT Grant funds to the General Fund and appropriates it back to where the street expenses were originally paid from. Ron Shoup made the motion to adopt Resolution 2015-0901A. Dirk Studebaker seconded the motion and all were in favor. Treeva presented Resolution 2015-0901B A Resolution to Transfer among the 2015 Budget lines. Dirk Studebaker made the motion to adopt Resolution 2015-0901B. Leon McKinney seconded the motion and all were in favor. Treeva presented Resolution 2015-0901C A Resolution to Reduce the 2015 Budget. This allows funds to be available for the 2016 budget. Dirk Studebaker made the motion to adopt Resolution 2015-0901C. Doyle Allison seconded the motion and all were in favor. Treeva reminded everyone that the 2016 Budget Public Hearing will be held September 15, 2015 at 6:00 PM.

Seth reported on the street investigation regarding narrow streets and parking. He presented a list with the measurements. He informed the Council according to regulations a parking lane needs to be 8 foot wide and a driving lane needs to be 12 foot wide. The Council requested Seth work with George to prepare a list of streets that already has parking only on 1 side.

Dirk Studebaker has been investigating an Inflatable Screen with Projector, so that we can have movies in the park. He presented a quote for \$3,949 from the Projector Store. Ron Shoup made the motion to approve the purchase. Doyle Allison seconded the motion and all were in favor. Treeva will order it.

The Council discussed the request of employees that some would prefer a half hour lunch over the current one hour lunch. The Council doesn't have an issue with that but does want a set schedule.

Treeva informed the Council that the trash pick-up contract is coming up for review. She will put it on next meeting's agenda.

Treeva brought up the need to revisit the Solicitation Ordinance. She explained that if it is the wishes of the Town Council to allow Solicitation in Town, then the ordinance needs to state that the background checks, letter of recommendation etc. need to be provided by the person or company wanting to solicit and not be the Clerk's Office to stop when someone comes in the door and spend an hour taking care of the time consuming task. She went on to explain, several residents especially the elderly are fearful these days of solicitors at the door. She also informed the Council the ordinance allows Solicitors to solicit until 9:00 PM and she believes that is too late at night for solicitors to be knocking at the door. The Council agrees to have Jud redo the Ordinance and remove the door-to-door solicitation except for not-for-profits such as girls scouts/boy scouts etc. They want to still allow solicitation such as ice-cream trucks, food trucks etc. with a permit and proof of insurance.

With nothing else to come before the Council, Doyle Allison made the motion to adjourn. Dirk Studebaker seconded the motion and all were in favor. Meeting adjourned at 8:07 PM.

#### PUBLIC HEARING REGARDING WWT PLAN

SEPTEMBER 8, 2015 5:30 PM

Council President Kevin Burk called the hearing to order at 5:38 PM with members Ron Shoup and Leon McKinney present. Members Dirk Studebaker and Doyle Allison were absent. Also present was Clerk-Treasurer Treeva Sarles, Engineer Mike Turchi, Grant Writer Shannon McLeod, Town Superintendent Seth Humphreys and one resident.

The reason for the hearing was to present the WWT Plan and give the Public opportunity to comment. Mike Turchi presented the Plan. There were no public comments.

Shannon McLeod presented Resolution 2015-0908 Wastewater Preliminary Engineering Study Plan Adoption Ron Shoup made the motion to adopt Resolution 2015-0908. Leon McKinney seconded the motion and all were in favor.

Ron Shoup made the motion to adjourn at 6:04 PM. Leon McKinney seconded the motion and all were in favor.

#### 2016 BUDGET HEARING AND TOWN COUNCIL MEETING

TUESDAY, SEPTEMBER 15, 2015 AT 6:00 PM

Council President Kevin Burk called the meeting to order at 6:03 PM with members Ron Shoup, Dirk Studebaker and Doyle Allison present. Member Leon McKinney was absent.

The Council conducted the Hearing on the 2016 Budget. Clerk-Treasurer Treeva Sarles went over the 2016 Budget. There were no public comments.

Richard Galloway with Republic Services Inc was present to discuss the trash and recycle contract. The current contract allowed for a 36 month extension for the same terms. Mr. Galloway would like to offer 48 month extension with same terms. Town Attorney Jud Barce explained that even though that is good, the current contract stated 36 months. If we wanted to go 48 months we would have to solicit quotes from other trash providers because that extends the current contract an additional year. Therefore, Dirk Studebaker made the motion to extend the current contract per the original term of 36 months. Doyle Allison seconded the motion and all were in favor.

Kevin Burk read the summary of claims for a total of \$113,509.16. Dirk Studebaker made the motion to approve the claims as presented. Ron Shoup seconded the motion and all were in favor.

Town Attorney Jud Barce presented Ordinance 2015-0915 Nominating Candidates for Town Office. This Ordinance moves the town away from a town election and to the County election cycle. Ron Shoup made the motion to adopt Ordinance 2015-0915. Dirk Studebaker seconded the motion and all were in favor.

Town Marshal George Frantz informed the Council, that the time he allowed for those cited for a vehicle nuisance is up and asked the Council what they wanted done. The council reviewed with Jud what the next step was. Jud stated that the Ordinance reads they can be fined up to \$1,000. Dirk asked if they needed to decide what the Council wishes to fine them. Jud replied, that would be up to the judge. Jud recommended that he now send those who have not complied, a letter stating that if they do not comply by a certain date then an Ordinance Violation will be filed and they would be fined up to \$1,000 a day. The Council agreed. In regards to the property on East Oxford Street, Jud advised if the employees can go over the fence to mow, then that would be good; but advised against removing any portion of the fence. George then presented pictures of a property on Gregory Lane. The Council unanimously agreed to issue a Notice to Abate.

Town Superintendent Seth Humphreys gave a status report on workload.

Utility Superintendent Lorean Johnston gave a status report on workload. He informed Council that there is a need for an automatic Chlorine switchover. He has received a quote from Spear Corporation for \$2,189, which includes installation. He would like to have one installed at the Water Plant immediately. He would like to also have 2 installed at the WWT Plant by spring. Ron Shoup made the motion to purchase the equipment for the water plant. Dirk Studebaker seconded the motion and all were in favor. He informed Council that the fluoride is still not back online due to the wrong 2nd containment was purchased. He is looking into options. In regards to reporting to IDEM, we had done it electronically, not sure why they went back to paper filing. He will be going back to electronic filing. In regards to WWT reports; Mr. Walker's reports to IDEM were wrong. IDEM is having Lorean go back a fix the last 8 months of reports. The application for a provisional license for Lorean has been submitted and he is waiting for a response.

Clerk-Treasurer Treeva Sarles informed the Council on an investment option through Trust Indiana; and that she will be attending a Public Funds Management Seminar hosted by the Indiana State Treasurer's Office to get more information of funding opportunities.

Under old business the Council reviewed the status of the Community Center. Ron Shoup is to get a quote for repairs. In regards to the Speed Study, Treeva presented a quote from BF&S. The Council tabled the decision until they can coordinate with the County about coming into town. Jud and Council reviewed not allowing door to door solicitation except for charity. Jud will revise the ordinance for the next meeting. Jud and Council reviewed the Vehicle Nuisance Ordinance in regards to the Restoration Permit section. It needs changed to read if not plated or insured they must obtain a restoration permit and must have the vehicle covered.

Under new business, Treeva informed the Council that the trash contract approved would save \$0.90 per resident a month. However, Stormwater utility is in need of an additional \$1.00 per utility account. Therefore she purposes that they update the ordinances to reflect a \$0.90 reduction to the trash rate and increase the Stormwater rate by \$1.00. They agreed to have Jud redo the ordinances for the next meeting.

Jud presented a couple of samples of Cross-Connection and Backflow prevention Ordinances. The Council liked the sample of Fowler's. Jud will prepare for the next meeting.

Treeva presented a request from Township Trustee Jerry Rooze in regards to the Otterbein fire department. They may need new radios with a re-banning that is happening. He doesn't have a cost yet, but would like to know if the Town will share in the cost. The Council will need to know the cost and how all the townships will be paying into the equipment first before they make a decision.

Treeva presented a request from Jerry Rooze on behalf of the Otterbein United Methodist Church, to tap into the Stormwater drain on Oxford Street. The Council unanimously denied the request.

The Council discussed with Jud, what we can ask for in restitution for a theft case. He advised that they claim what they could have gotten out of the property if they would have sold it to be refurbished, and also the personnel time used to research the theft case.

Ron Shoup asked if cats were covered under our ordinance. Yes they are, if a resident is having trouble with a cat and they know who the owner is they can report it to George.

Seth is to look into how to request a reduce speed on US 52 due to no turn lanes into town coming east on 52. It was also requested to put the crack sealer on the agenda for the next meeting.

With nothing else to come before the Council, Ron Shoup made the motion to adjourn at 8:16 PM. Dirk Studebaker seconded the motion and all were in favor.